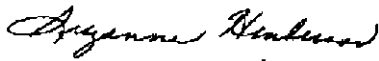


**Electronically Recorded**

Official Public Records



Suzanne Henderson

Tarrant County Texas

2009 Jan 21 08:20 AM Haltom High School 166871A

Fee: \$ 40.00

Submitter: ACS INC

7 Pages

**D209015519**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT NO. 1 TO TOWER LEASE AGREEMENT  
AND AMENDED MEMORANDUM OF TOWER LEASE AGREEMENT**

WHEREAS, pursuant to a Tower Lease Agreement ("Agreement") dated September 5, 2007, between Birdville Independent School District ("LESSOR"), with a mailing address of 3124 Carson Street, Haltom City, Texas 76117, and Dallas MTA, L.P. d/b/a Verizon Wireless ("LESSEE"), with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, and a mailing address of 180 Washington Valley Road, Bedminster, New Jersey 07921, covering lease property located at Haltom High School, 5501 Haltom Road, Haltom City, Texas 76137, and being part of Tract A, Block 1, Fossil Springs Addition to the City of Haltom City, Tarrant County, Texas, and more particularly described in that certain Plat recorded in Volume 388-197, Page 55, Real Property Records of Tarrant County, Texas;

WHEREAS, the Agreement was memorialized in that certain Memorandum of Tower Lease Agreement dated September 5, 2007, between LESSOR and LESSEE, filed or recorded as Document No. D207319987, Real Property Records, Tarrant County, Texas; and

WHEREAS, LESSOR and LESSEE now desire to amend the Agreement as herein set forth:

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree to replace Exhibits "A" and "B" to the Agreement, in their entirety, with the Exhibits "A-1" and "B-1" attached hereto.

The parties agree that LESSEE may record this document with the appropriate Recording Officer in Tarrant County, Texas.

Except as hereby amended, all other provisions of said Agreement will remain in full force and effect as originally written and is hereby confirmed as to all provisions contained therein. In the event of any conflict between the terms of this Amendment No. 1 and the terms of the Agreement, this Amendment No. 1 shall control.

D209015519

IN WITNESS WHEREOF, the parties hereto intend that this Amendment No. 1 shall be effective as of the 15 day of January, 2008

**LESSOR:**

Birdville Independent School District

By: Richard Goolsby  
Name: Richard Goolsby  
Title: Director of Purchasing  
Date: 10-28-08

**LESSEE:**

Dallas MTA, L.P. d/b/a Verizon Wireless,  
by Verizon Wireless Texas, LLC,  
its general partner

By: Hans F. Leutenegger  
Hans F. Leutenegger  
Area Vice President - Network, South Area

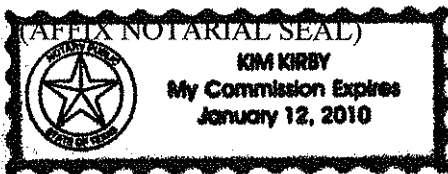
Date: 1-15-09

NOTARY ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF TARRANT

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of October, 2008,  
by Richard Godsbey (name), Director of Purchasing (title)  
of Birdville Independent School District, on behalf of said entity. He/She is personally known to me or  
has produced a driver's license as identification.



Kim Kirby  
(OFFICIAL NOTARY SIGNATURE)  
NOTARY PUBLIC — STATE OF TEXAS

My commission expires: 01/12/10  
Kim Kirby  
(PRINTED, TYPED OR STAMPED NAME OF NOTARY)

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 15 day of January, 2008,  
by Hans F. Leutenegger, Area Vice President - Network, South Area, of Verizon Wireless Texas, LLC,  
general partner of Dallas MTA, L.P. d/b/a Verizon Wireless, on behalf of said partnership. He is  
personally known to me.

(AFFIX NOTARIAL SEAL)

Jean M. Musa  
(OFFICIAL NOTARY SIGNATURE)  
NOTARY PUBLIC — STATE OF NORTH CAROLINA

My commission expires:  
(PRINTED, TYPED OR STAMPED NAME OF NOTARY)

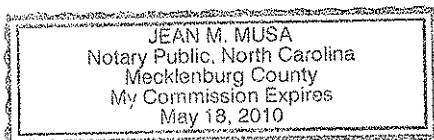


Exhibit "A-1"

**PARENT TRACT DESCRIPTION:**

BEING Tract A, Block 1 and Tract A, Block 2, FOSSIL SPRINGS ADDITION, an addition to the City of Haltom City, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-197, Page 55, Plat Records, Tarrant County, Texas. (EXHIBIT "A" OF SPECIAL WARRANTY DEED RECORDED IN VOLUME 8653, PAGE 278, DEED RECORDS OF TARRANT COUNTY, TEXAS.)

**LESSEE'S LEASE SITE DESCRIPTION:**

A tract of land lying in and being a part of Tract A, Block 1, FOSSIL SPRINGS ADDITION, an addition to the City of Haltom City, Tarrant County, Texas as described in Volume 8653, Page 278, Deed Records of Tarrant County, Texas; Said tract being more particularly described as follows:

Commencing at a 5/8" iron rod found for the Southeast corner of Tract A, Block 2, said FOSSIL SPRINGS ADDITION, according to the recorded plat in Volume 388-197, Page 55; Thence N 89°46'04" E on the South Line of said Tract A, a distance of 857.05 feet to a point on said South line; Thence N 00°13'56" W perpendicular to said South line, a distance of 510.92 feet to a 1/2" iron rod set for the Southwest corner, said corner being the Point of Beginning; Thence N 08°51'13" W a distance of 10.00 feet to a 1/2" iron rod set for and interior corner; Thence S 81°08'47" W a distance of 15.00 feet to a 1/2" iron rod set for the West corner; Thence N 08°51'13" W a distance of 15.00 feet to a 1/2" iron rod set for the Northwest corner; Thence N 81°08'47" E a distance of 25.00 feet to a 1/2" iron rod set for the Northeast corner; Thence S 08°51'13" E a distance of 25.00 feet to a 1/2" iron rod set for the Southeast corner; Thence S 81°08'47" W a distance of 10.00 feet to the Point of Beginning, containing 475.00 square feet or 0.011 acres, more or less.

**LESSEE'S ACCESS EASEMENT DESCRIPTION:**

A 20.00 foot wide easement for ingress and egress and utility purposes crossing a part of a certain 7.40 acre tract situated in the part of Tract A, Block 1, FOSSIL SPRINGS ADDITION, an addition to the City of Haltom City, Tarrant County, Texas as described in Volume 8653, Page 278, Deed Records of Tarrant County, Texas; Said easement being 10.00 feet on each side of the following described centerline:

Beginning at a 1/2" iron rod set for the West corner of the above described 0.011 acre Lessee's Lease Site; Thence S 71°44'21" W a distance of 163.77 feet to a point; Thence S 00°35'06" E a distance of 100.18 feet to a point; Thence S 89°40'23" W a distance of 786.00 feet to the Point of termination on the East Right-of-way line of Haltom Road. Side lines of said 20.00 foot wide easement to be shortened or extended such as to begin at the 1/2" iron rod set for the West corner of the above described 0.011 acre Lessee's Lease Site and terminate on the East Right-of-way line of Haltom Road.

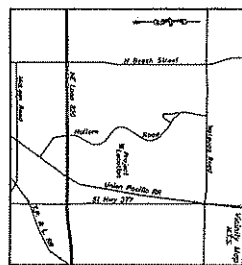
**LESSEE'S UTILITY EASEMENT DESCRIPTION:**

A 10.00 foot wide easement for utility purposes crossing a part of Tract A, Block 1, FOSSIL SPRINGS ADDITION, an addition to the City of Haltom City, Tarrant County, Texas as described in Volume 8653, Page 278, Deed Records of Tarrant County, Texas; Said easement being 5.00 feet on each side of the following described centerline:

Commencing at a 1/2" iron rod set for the Southeast corner of the above described 0.011 acre Lessee's Lease Site; Thence N 08°51'13" W on the East line of said 0.011 acre Lessee's Lease Site, a distance of 5.06 feet to the Point of Beginning on said East line; Thence N 89°46'04" E a distance of 174.55 feet to a point; Thence S 59°43'35" E a distance of 168.74 feet to a point; Thence S 00°01'23" E a distance of 390.67 feet to a point; Thence S 89°55'32" W a distance of 324.22 feet to a point; Thence S 01°57'41" W a distance of 39.87 feet to the Point of termination on the South line of said Tract A, Block 1. Side lines of said 10.00 foot wide easement to be shortened or extended such as to begin on the East line of said 0.011 acre Lessee's lease site and terminate on the South line of said Tract A, Block 1.

Exhibit "B-1"

See attached Survey



TRACT A, BLOCK 1, FOSSIL SPRINGS ADDITION TO THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS

[illegible]

REMARKS: The assembled blind names were taken from the list report conducted by  
Kurtis R. Webb, Jr. FID# 14025 Date 09/17/08

[illegible]